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3 AAC 48.442 is repealed:

3 AAC 48.442. Delayed implementation of regulatory provisions relating to DEM weighting. Repealed. (Eff. 1/10/99, Register 149; repealed __/__/__, Register____)

[NOTWITHSTANDING THE 1/10/99 AMENDMENTS TO 3 AAC 48.275 – 3 AAC 48.820, IF THE COMMISSION DETERMINES THAT THE DELAY OF IMPLEMENTATION OF PROVISIONS IN THOSE REGULATIONS THAT RELATE TO WEIGHTED STATE DEM SUPPORT IN THOSE REGULATIONS IS IN THE BEST INTERESTS OF THE STATE, THE COMMISSION WILL, BY ORDER, PROVIDE FOR A DELAYED IMPLEMENTATION DATE OF THOSE PROVISIONS AS THEY RELATE TO WEIGHTED STATE DEM SUPPORT, THE REASONS FOR THE DELAY, AND A STATEMENT THAT THE LANGUAGE OF THE REGULATIONS CITED IN THIS SECTION AS IT APPEARED ON THE DAY BEFORE 1/10/99 APPLIES TO WEIGHTED STATE DEM SUPPORT UNTIL THE STATED DELAYED IMPLEMENTATION DATE.]

3 AAC 52.372 is repealed:

3 AAC 52.372. Long distance rate reductions from elimination of carrier common line rates. Repealed. (Eff. 7/11/2011, Register 199; am 11/6/2016, Register 220; repealed __/__/__, Register____)

[(A) TO THE EXTENT POSSIBLE AND REASONABLE, AND TAKING INTO CONSIDERATION (1) COSTS OF SERVICE; (2) CHANGES IN CALLING VOLUMES;

(3) CHANGES IN INTRASTATE ACCESS CHARGE RATES; (4) JURISDICTIONAL COST DIFFERENCES; AND (5) OTHER RELEVANT FACTORS, INTEREXCHANGE CARRIERS SHALL REDUCE INTRASTATE LONG DISTANCE RATES WITHIN A REASONABLE TIME AFTER THE ELIMINATION, UNDER 3 AAC 53.350(C), OF THE CARRIER COMMON LINE CHARGE WITH THE GOAL OF ACHIEVING PARITY BETWEEN INTRASTATE LONG DISTANCE RATES AND INTERSTATE LONG DISTANCE RATES.

(B) NO LATER THAN THREE MONTHS AFTER THE ELIMINATION, UNDER 3 AAC 53.350(C), OF THE CARRIER COMMON LINE CHARGE, AN INTEREXCHANGE CARRIER SHALL FILE A REPORT, IN ACCORDANCE WITH 3 AAC 48.095, DESCRIBING CHANGES IT HAS MADE IN INTRASTATE LONG DISTANCE RATES. FOR A PERIOD OF FIVE FULL CALENDAR YEARS THEREAFTER, NO LATER THAN MARCH 31 OF EACH YEAR, AN INTEREXCHANGE CARRIER SHALL FILE AN ANNUAL REPORT, IN ACCORDANCE WITH 3 AAC 48.095, DEMONSTRATING THE EXTENT TO WHICH THE CARRIER REDUCED INTRASTATE LONG DISTANCE RATES IN THE PRECEDING CALENDAR YEAR IN CONFORMANCE WITH (A) OF THIS SECTION. THE INTEREXCHANGE CARRIER'S ANNUAL REPORT MUST EITHER DEMONSTRATE FLOW-THROUGH OF ACCESS CHARGE SAVINGS BASED UPON THE METHODOLOGY DEVELOPED THROUGH INDUSTRY CONSENSUS AND SET OUT IN THE JOINT REPORT SUBMITTED TO THE COMMISSION ON DECEMBER 13, 2001 IN DOCKET R-01-1, OR DEMONSTRATE REASONABLE PROGRESS TOWARDS ACHIEVING PARITY BETWEEN

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INTRASTATE LONG DISTANCE RATES AND INTERSTATE LONG DISTANCE RATES. UNDER EITHER APPROACH, THE ANNUAL REPORT MUST INCLUDE A SCHEDULE SHOWING THE CHANGE IN DOLLARS AND MINUTES OF INTRASTATE LONG DISTANCE FROM YEAR TO YEAR SEGREGATED BETWEEN INTRASTATE RESIDENTIAL LONG DISTANCE AND INTRASTATE BUSINESS LONG DISTANCE.

(C) IF AN INTEREXCHANGE CARRIER DOES NOT MAKE REASONABLE PROGRESS TOWARD THE GOAL OF REDUCING INTRASTATE LONG DISTANCE RATE SCHEDULES AND PLANS TO INTERSTATE LEVELS, EACH CUSTOMER BILL THAT INCLUDES A RATE THAT DOES NOT REPRESENT REASONABLE PROGRESS WILL BE CONSIDERED A SEPARATE VIOLATION OF (A) OF THIS SECTION AND SUBJECT TO CIVIL PENALTIES UNDER AS 42.05.571.

(D) FOR PURPOSES OF THIS SECTION, THE JOINT REPORT SUBMITTED TO THE COMMISSION ON DECEMBER 13, 2001 IN DOCKET R-01-1, *IN THE MATTER OF THE CONSIDERATION OF REFORM OF INTRASTATE INTEREXCHANGE ACCESS CHARGE RULES*, IS ADOPTED BY REFERENCE.]

3 AAC 53.300 is repealed:

3 AAC 53.300. Applicability, finding, purpose, and waiver. Repealed. (Eff.

1/10/99, Register 149; repealed __/__/__, Register__)

[(A) THE PROVISIONS OF 3 AAC 53.300 - 3 AAC 53.399 APPLY TO ALL PUBLIC UTILITIES THAT PROVIDE INTRASTATE TELECOMMUNICATIONS SERVICE IN THIS STATE.

(B) THE PURPOSE OF 3 AAC 53.300 - 3 AAC 53.399 IS

(1) TO

(A) PROMOTE THE EFFICIENCY, AVAILABILITY, AND AFFORDABILITY OF UNIVERSAL TELEPHONE SERVICE IN THIS STATE THROUGH THE ESTABLISHMENT OF THE ALASKA UNIVERSAL SERVICE FUND (AUSF);

(B) RECALCULATE THE RATES AND CHARGES OF INTRASTATE TELECOMMUNICATIONS UTILITIES SO AS TO MAKE EXPLICIT ANY SUBSIDIES THAT HAVE PREVIOUSLY BEEN IMPLICIT; AND

(C) IMPLEMENT STATE PARTICIPATION IN FEDERAL PROGRAMS FOR THE SUPPORT OF UNIVERSAL SERVICE UNDER 47 U.S.C. 254 OF THE FEDERAL COMMUNICATIONS ACT, AS AMENDED BY THE TELECOMMUNICATIONS ACT OF 1996 (P.L. 104-104); AND

(2) NOT TO RAISE REVENUE FOR THE MAINTENANCE OF GOVERNMENT SERVICE OFFERED TO THE GENERAL PUBLIC.

(C) FOR GOOD CAUSE SHOWN, THE COMMISSION WILL, IN ITS DISCRETION, WAIVE THE APPLICATION OF ALL OR ANY PORTION OF 3 AAC 53.300 – 3 AAC 53.399 TO A PUBLIC UTILITY PROVIDING INTRASTATE TELECOMMUNICATIONS SERVICE. IF A WAIVER IS GRANTED UNDER THIS SUBSECTION, THE

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COMMISSION WILL ESTABLISH, BY ORDER, APPROPRIATE CRITERIA ON A CASE-BY-CASE BASIS FOR THE PUBLIC UTILITY THAT RECEIVED THE WAIVER.]

3 AAC 53.310 is repealed:

3 AAC 53.310. Approval of administrator; withdrawal of approval; bonding.

Repealed. (Eff. 1/10/99, Register 149; repealed __/__/__, Register____)

[(A) TO SERVE AS AN ADMINISTRATOR OF THE AUSF, THE APPLICANT MUST BE APPROVED BY THE COMMISSION. THE COMMISSION WILL APPROVE THE SELECTION OF AN ADMINISTRATOR OF THE AUSF, IF THE APPLICANT MEETS THE REQUIREMENTS OF THIS SECTION.

(B) TO BE APPROVED UNDER THIS SECTION, AN APPLICANT FOR THE ADMINISTRATOR MUST

(1) BE ABLE TO OPERATE THE AUSF IN A NEUTRAL AND IMPARTIAL MANNER;

(2) HAVE THE SKILLS TO BILL, COLLECT, AND DISTRIBUTE LARGE FINANCIAL SUMS ON A MONTHLY BASIS; AND

(3) PROVIDE DOCUMENTATION OF THE ABILITY TO OBTAIN AND MAINTAIN A BOND IN THE AMOUNT ORDERED BY THE COMMISSION IN AN AMOUNT EQUAL TO THREE MONTHS OF ESTIMATED PAYMENTS INTO THE AUSF.

(C) IF MORE THAN ONE APPLICANT APPLIES UNDER (A) OF THIS SECTION, THE COMMISSION WILL, IN ITS DISCRETION, APPROVE THE APPLICANT WHO MEETS THE QUALIFICATIONS OF (B) OF THIS SECTION AND IS BEST ABLE TO ADMINISTER THE AUSF.

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(D) THE COMMISSION WILL, IN ITS DISCRETION, WITHDRAW ITS APPROVAL OF THE ADMINISTRATOR IF GOOD CAUSE IS SHOWN OR THE COMMISSION DETERMINES THAT THE APPROVAL IS NO LONGER IN THE BEST INTERESTS OF THE AUSF.

(E) IF APPROVED, THE ADMINISTRATOR MUST IMMEDIATELY PROVIDE TO THE COMMISSION DOCUMENTATION OF OBTAINING THE BOND DESCRIBED IN (B) OF THIS SECTION. THE ADMINISTRATOR MUST IMMEDIATELY NOTIFY THE COMMISSION IF THE BOND IS NO LONGER

- (1) SUFFICIENT TO MEET THE REQUIREMENTS OF THIS SECTION; OR
- (2) EFFECTIVE.]

3 AAC 53.320 is repealed:

3 AAC 53.320. Budget approval; administrative costs. Repealed. (Eff. 1/10/99, Register 149; am 7/31/2011, Register 199; am 11/6/2016, Register 220; repealed __/__/__, Register____)

[(A) IN ORDER TO MEET THE REQUIREMENTS OF AS 42.05.800 - AS 42.05.890, THE BUDGET FOR ADMINISTRATIVE COSTS, INCLUDING COMPENSATION OF THE ADMINISTRATOR, MUST BE APPROVED BY THE COMMISSION.

(B) NO LATER THAN OCTOBER 1 OF EACH YEAR, IN ACCORDANCE WITH 3 AAC 48.095, THE ADMINISTRATOR SHALL SUBMIT THE PROPOSED BUDGET DESCRIBED IN (A) OF THIS SECTION TO THE COMMISSION FOR APPROVAL FOR THE FOLLOWING YEAR.

(C) THE COMMISSION WILL ONLY APPROVE THE PROPOSED BUDGET DESCRIBED IN (A) OF THIS SECTION, IF THE COMMISSION FINDS THAT THE PROPOSED BUDGET IS REASONABLE AND IN THE PUBLIC INTEREST.

(D) TO MAINTAIN APPROVAL OF THE BUDGET BY THE COMMISSION, PAYMENT FOR THE ADMINISTRATOR'S COMPENSATION MAY NOT EXCEED THE AMOUNT SPECIFIED IN THE BUDGET APPROVED BY THE COMMISSION.

(E) THE ADMINISTRATIVE COSTS APPROVED BY THE COMMISSION SHALL BE INCLUDED, ALONG WITH THE ESTIMATED AMOUNT OF UNIVERSAL SERVICE SUPPORT DISBURSEMENT FROM THE AUSF, IN THE CALCULATION OF THE UNIVERSAL SERVICE SURCHARGE FACTOR DESCRIBED IN 3 AAC 53.340.]

3 AAC 53.330 is repealed:

3 AAC 53.330. Reports, audits, and separation of money. Repealed. (Eff. 1/10/99, Register 149; am 11/6/2016, Register 220; repealed __/__/__, Register____)

[(A) TO MAINTAIN APPROVAL UNDER 3 AAC 53.310,

(1) THE ADMINISTRATOR SHALL KEEP THE AMOUNT ALLOCATED FOR UNIVERSAL SERVICE SUPPORT IN THE AUSF IN AN ACCOUNT SEPARATE FROM OTHER MONEY UNDER THE CONTROL OF THE ADMINISTRATOR;

(2) THE AUSF AND THE ACCOUNTING PRACTICES OF THE ADMINISTRATOR ARE SUBJECT TO A YEARLY AUDIT BY AN INDEPENDENT ACCOUNTING FIRM AND MAY BE SUBJECT TO AN ADDITIONAL AUDIT DURING THE YEAR BY THE COMMISSION, IF ORDERED BY THE COMMISSION; THE AUSF AND THE

ACCOUNTING PRACTICES OF THE ADMINISTRATOR ARE SUBJECT TO A
CLOSE-OUT AUDIT AT THE END OF THE ADMINISTRATOR'S TERM;

(3) THE ADMINISTRATOR SHALL REPORT ANNUALLY TO THE COMMISSION,
IN ACCORDANCE WITH 3 AAC 48.095, AN ITEMIZATION OF MONTHLY
ADMINISTRATIVE COSTS, INCLUDING EXPENSES, RECEIPTS, AND PAYMENTS
ASSOCIATED WITH THE ADMINISTRATION OF THE AUSF; THE ADMINISTRATOR
SHALL PROVIDE THE COMMISSION FULL ACCESS TO THE DATA COLLECTED
UNDER OR PREPARED THROUGH THE ADMINISTRATION OF THE AUSF;

(4) THE ADMINISTRATOR SHALL REPORT QUARTERLY TO THE COMMISSION,
IN ACCORDANCE WITH 3 AAC 48.095, ON THE DISBURSEMENT OF MONEY
FROM THE AUSF ALONG WITH ANY RECOMMENDED CHANGES TO THE
UNIVERSAL SERVICE SURCHARGE FACTOR; THE ADMINISTRATOR SHALL KEEP
SEPARATE ACCOUNTS FOR THE UNIVERSAL SERVICE SURCHARGE
COLLECTED AND UNIVERSAL SERVICE SUPPORT DISBURSED; AND

(5) AT THE REQUEST OF THE COMMISSION, THE ADMINISTRATOR MAY
AUDIT ONE OR MORE PUBLIC UTILITIES REQUIRED TO PAY THE UNIVERSAL
SERVICE SURCHARGE AND ONE OR MORE PUBLIC UTILITIES THAT HAVE
RECEIVED DISBURSEMENTS FROM THE AUSF; THE ADMINISTRATOR SHALL
ESTABLISH PROCEDURES TO VERIFY UNIVERSAL SERVICE SURCHARGE
PAYMENTS IN TO THE AUSF AND UNIVERSAL SERVICE SUPPORT DISBURSED
FROM THE AUSF; THE ADMINISTRATOR MAY SUSPEND OR DELAY
DISBURSEMENTS FOR UNIVERSAL SERVICE SUPPORT TO A PUBLIC UTILITY IF

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THAT UTILITY FAILS TO ADEQUATELY VERIFY THE AMOUNT OF UNIVERSAL SERVICE SUPPORT CLAIMED, OR IF THE COMMISSION ISSUES AN ORDER TO SUSPEND OR DELAY DISBURSEMENT.

(B) THE COMMISSION WILL PROVIDE TO THE PUBLIC A MONITORING REPORT AT LEAST ONCE A YEAR ON THE ADMINISTRATOR'S REPORTS UNDER THIS SECTION.]

3 AAC 53.340 is repealed:

3 AAC 53.340. Universal service surcharge. Repealed. (Eff. 1/10/99, Register 149; am 1/30/99, Register 149; am 7/31/2011, Register 199; am 3/1/2017, Register 221; repealed __/__/__, Register____)

[(A) A PUBLIC UTILITY THAT PROVIDES INTRASTATE TELECOMMUNICATIONS SERVICE TO THE PUBLIC, OR TO THOSE CLASSES OF USERS AS TO BE EFFECTIVELY AVAILABLE TO THE PUBLIC FOR A FEE, SHALL PAY A UNIVERSAL SERVICE SURCHARGE TO THE AUSF. THE PUBLIC UTILITY MUST PAY THE SURCHARGE ON ITS ANNUAL GROSS REVENUES THAT ARE GENERATED FROM END USERS ON THE FOLLOWING INTRASTATE TELECOMMUNICATIONS SERVICES AND CHARGES:

- (1) CELLULAR TELEPHONE AND PAGING SERVICES;
- (2) MOBILE RADIO SERVICES;
- (3) OPERATOR SERVICES;
- (4) PERSONAL COMMUNICATIONS SERVICES (PCS);

(5) SPECIAL ACCESS SERVICE;

(6) WIDE AREA TELECOMMUNICATIONS SERVICE (WATS);

(7) TOLL-FREE SERVICE;

(8) 900 SERVICE;

(9) MESSAGE TELEPHONE SERVICE (MTS);

(10) PRIVATE LINE SERVICE;

(11) TELEX;

(12) TELEGRAPH;

(13) VIDEO SERVICES;

(14) SATELLITE SERVICE;

(15) RESALE OF INTRASTATE SERVICES;

(16) PAY PHONE SERVICES;

(17) LOCAL EXCHANGE SERVICES;

(18) THE NETWORK ACCESS FEE ASSESSED ON END USERS IN
ACCORDANCE WITH SECTION 109 OF THE *ALASKA INTRASTATE
INTEREXCHANGE ACCESS CHARGE MANUAL*, ADOPTED BY REFERENCE IN
3 AAC 48.440;

(19) INTERCONNECTED VOICE OVER INTERNET PROTOCOL (VOIP).

(B) NOTWITHSTANDING (A) OF THIS SECTION, A PUBLIC UTILITY PROVIDING
INTRASTATE TELECOMMUNICATIONS SERVICES IN THE FORM OF OPEN VIDEO
SYSTEMS (OVS), CABLE LEASED ACCESS, OR DIRECT BROADCAST SATELLITE

(DBS) SERVICES IS NOT REQUIRED TO PAY THE UNIVERSAL SERVICE SURCHARGE.

(C) A PUBLIC UTILITY PROVIDING A SERVICE FOR WHICH A UNIVERSAL SERVICE SURCHARGE PAYMENT IS DUE SHALL PROVIDE TO THE ADMINISTRATOR A VERIFIED ACCOUNTING OF ITS ANNUAL GROSS REVENUES FROM INTRASTATE END USERS. THE ACCOUNTING SHALL BE SUBMITTED ON A FORM DESIGNATED BY ORDER OF THE COMMISSION AS THE AUSF WORKSHEET. THE PUBLIC UTILITY SHALL SUBMIT THE COMPLETED AUSF WORKSHEET TO THE ADMINISTRATOR TWICE A YEAR. THE FIRST AUSF WORKSHEET IS DUE MARCH 31 OF EACH YEAR, CONTAINING DATA FOR THE PRIOR CALENDAR YEAR. THE SECOND AUSF WORKSHEET IS DUE SEPTEMBER 1, OF EACH YEAR, CONTAINING DATA FOR THE SIX-MONTH PERIOD FROM JANUARY 1 THROUGH JUNE 30 FOR THE CURRENT CALENDAR YEAR. IF A PUBLIC UTILITY'S PAYMENTS TO THE AUSF IN A CALENDAR YEAR WOULD BE LESS THAN \$100, THAT PUBLIC UTILITY IS NOT REQUIRED TO SUBMIT A PAYMENT OR THE AUSF WORKSHEETS FOR THAT CALENDAR YEAR, UNLESS THE PUBLIC UTILITY HAS RECEIVED UNIVERSAL SERVICE SUPPORT FROM THE AUSF IN THAT CALENDAR YEAR.

(D) BY OCTOBER 1 OF EACH YEAR, THE ADMINISTRATOR SHALL CALCULATE A PROPOSED BUDGET FOR THE ESTIMATED TOTAL AMOUNT OF THE UNIVERSAL SERVICE SUPPORT PAYMENT THAT WILL BE NEEDED FROM THE AUSF FOR THE FOLLOWING CALENDAR YEAR AND FOR THE ADMINISTRATIVE COSTS

ANTICIPATED TO BE APPROVED BY THE COMMISSION. THE ADMINISTRATOR SHALL RECOMMEND THE ANNUAL UNIVERSAL SERVICE SURCHARGE FACTOR FOR THE FOLLOWING YEAR TO COVER THE PROPOSED BUDGET. THE UNIVERSAL SERVICE SURCHARGE FACTOR IS CALCULATED BASED ON THE RATIO OF THE TOTAL ESTIMATED AMOUNT OF DISBURSEMENTS FOR THE AUSF TO THE TOTAL ANNUAL GROSS REVENUES FROM INTRASTATE END USERS SUBJECT TO THE UNIVERSAL SERVICE SURCHARGE. THE ADMINISTRATOR SHALL RECOMMEND TO THE COMMISSION ADJUSTMENTS TO THE UNIVERSAL SERVICE SURCHARGE FACTOR ON A QUARTERLY BASIS, AS NECESSARY, AS DESCRIBED IN 3 AAC 53.330. THE RECOMMENDED UNIVERSAL SERVICE SURCHARGE FACTOR AND ADJUSTMENTS MUST BE APPROVED BY THE COMMISSION, BEFORE IMPLEMENTATION BY THE ADMINISTRATOR.

(E) A PUBLIC UTILITY SUBJECT TO THE UNIVERSAL SERVICE SURCHARGE UNDER THIS SECTION SHALL REMIT ITS MONTHLY UNIVERSAL SERVICE SURCHARGE PAYMENT TO THE ADMINISTRATOR OF THE AUSF WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR MONTH.

(F) THE ADMINISTRATOR MUST HOLD UNIVERSAL SERVICE SURCHARGE PAYMENTS REQUIRED FROM THE AUSF IN EXCESS OF DISBURSEMENTS FOR A CURRENT MONTH IN A LOW-RISK INTEREST BEARING ACCOUNT AND USE THE EXCESS FOR DISBURSEMENTS UNDER 3 AAC 53.300 - 3 AAC 53.399 IN A FOLLOWING MONTH.]

3 AAC 53.345 is repealed:

3 AAC 53.345. Local exchange carrier of last resort support and rate cap

increase. Repealed. (Eff. 7/31/2011, Register 199; repealed __/__/__, Register____)

[(A) EXCEPT AS PROVIDED IN (H) OF THIS SECTION, IF A LOCAL EXCHANGE CARRIER IS DESIGNATED, UNDER 3 AAC 53.200 - 3 AAC 53.299, A CARRIER OF LAST RESORT, AND IF THAT CARRIER IS A NONPOOLING COMPANY, THE CARRIER IS ELIGIBLE FOR CARRIER OF LAST RESORT SUPPORT FROM THE AUSF TO OFFSET THE SHORTFALL IN CARRIER COMMON LINE (CCL) REVENUE BELOW THE CARRIER OF LAST RESORT'S SUPPORTED CCL REVENUE REQUIREMENT. IF THE CARRIER OF LAST RESORT IS A NONPOOLING COMPANY, BUT WAS PREVIOUSLY A POOLING COMPANY, THE SUPPORTED CCL REVENUE REQUIREMENT FOR THE CARRIER IS THE CCL REVENUE REQUIREMENT FROM WHICH THE CARRIER'S CCL RATE CAP WAS DETERMINED. IF THE CARRIER IS A NONPOOLING COMPANY, AND WAS NOT PREVIOUSLY A POOLING COMPANY,

(1) THE CARRIER MUST SUPPORT THE PROPOSED SUPPORTED CCL REVENUE REQUIREMENT WITH A FILING

(A) IN ACCORDANCE WITH THE *ALASKA INTRASTATE INTEREXCHANGE ACCESS CHARGE MANUAL*, ADOPTED BY REFERENCE IN 3 AAC 48.440; AND

(B) SUBMITTED WITH THE CARRIER'S FIRST TARIFF FILING FOR CARRIER OF LAST RESORT SUPPORT UNDER (C) OF THIS SECTION; AND

(2) THE SUPPORTED CCL REVENUE REQUIREMENT FOR THE CARRIER MAY NOT EXCEED, ON A PER-LINE BASIS, THE CCL REVENUE REQUIREMENT OF A CARRIER OF LAST RESORT THAT IS A NONPOOLING COMPANY, BUT THAT WAS PREVIOUSLY A POOLING COMPANY.

(B) A LOCAL EXCHANGE CARRIER OF LAST RESORT THAT IS A NONPOOLING COMPANY, THAT FACES LOCAL EXCHANGE COMPETITION, AND THAT HAS A CCL RATE CAP LESS THAN THE NETWORK ACCESS FEE (NAF) ESTABLISHED UNDER SECTION 109 OF THE *ALASKA INTRASTATE INTEREXCHANGE ACCESS CHARGE MANUAL*, ADOPTED BY REFERENCE IN 3 AAC 48.440, IS ELIGIBLE FOR AN INCREASE IN THE CARRIER'S CCL RATE CAP FOR THE SOLE PURPOSE OF INCREASING THE CARRIER'S NAF RATE UP TO THE CURRENTLY EFFECTIVE NAF LIMIT SO AS TO ALLOW ADDITIONAL NAF REVENUES TO OFFSET, IN WHOLE OR IN PART, THE SHORTFALL IN CCL REVENUE BELOW THE SUPPORTED CCL REVENUE REQUIREMENT. THE SUPPORTED CCL REVENUE REQUIREMENT IS NOT CHANGED EVEN THOUGH A CARRIER IS ELIGIBLE FOR A CCL RATE CAP INCREASE UNDER THIS SUBSECTION.

(C) A LOCAL EXCHANGE CARRIER OF LAST RESORT SEEKING TO INITIATE, RENEW, OR MODIFY ITS TOTAL CARRIER OF LAST RESORT SUPPORT AMOUNT, OR TO INCREASE A CCL RATE CAP AS PROVIDED UNDER (B) OF THIS SECTION, MUST SUBMIT A TARIFF ADVICE LETTER IN ACCORDANCE WITH 3 AAC 48.220, 3 AAC 48.240, AND 3 AAC 48.270.

(D) THE CARRIER OF LAST RESORT SUPPORT AMOUNT APPROVED BY THE COMMISSION UNDER THIS SECTION REMAINS IN EFFECT FOR ONE YEAR AND WILL NOT BE AUTOMATICALLY RENEWED.

(E) A TARIFF FILING UNDER (C) OF THIS SECTION MUST SPECIFY THE CCL RATE CAP INCREASE, THE NAF RATE CHANGE, AND THE CARRIER OF LAST RESORT SUPPORT AMOUNT BEING SOUGHT, AND MUST PROVIDE A CALCULATION OF THE SHORTFALL IN CCL REVENUE BELOW THE CARRIER OF LAST RESORT'S SUPPORTED CCL REVENUE REQUIREMENT. THE SHORTFALL IN CCL REVENUE IS DETERMINED BY SUBTRACTING THE CARRIER OF LAST RESORT'S COMBINED CCL REVENUE FROM THE CARRIER OF LAST RESORT'S SUPPORTED CCL REVENUE REQUIREMENT. THE COMBINED CCL REVENUE IS THE CARRIER OF LAST RESORT'S ANNUALIZED REVENUE FROM THE NAF AND THE CCL RATE ELEMENT, DETERMINED BY MULTIPLYING THE REVENUE GENERATED FOR A RECENT THREE-MONTH PERIOD BY FOUR. THE CALCULATION MUST IMPUTE ANY INCREASE IN NAF REVENUE ASSOCIATED WITH A PROPOSED INCREASE IN THE NAF RATE FOR PURPOSES OF DETERMINING THE PROPOSED CARRIER OF LAST RESORT SUPPORT.

(F) IF A LOCAL EXCHANGE CARRIER OF LAST RESORT HAS A CCL RATE CAP GREATER THAN OR EQUAL TO THE NAF ESTABLISHED UNDER SECTION 109 OF THE *ALASKA INTRASTATE INTEREXCHANGE ACCESS CHARGE MANUAL*, ADOPTED BY REFERENCE IN 3 AAC 48.440, THE CARRIER OF LAST RESORT

SHALL RECEIVE CARRIER OF LAST RESORT SUPPORT EQUAL TO THE SHORTFALL CALCULATED UNDER (E) OF THIS SECTION.

(G) IF A LOCAL EXCHANGE CARRIER OF LAST RESORT HAS A CCL RATE CAP LESS THAN THE NAF ESTABLISHED UNDER SECTION 109 OF THE *ALASKA INTRASTATE INTEREXCHANGE ACCESS CHARGE MANUAL*, ADOPTED BY REFERENCE IN 3 AAC 48.440, THE CCL RATE CAP AND NAF FOR THE CARRIER OF LAST RESORT SHALL BE INCREASED UP TO THE CURRENTLY EFFECTIVE NAF LIMIT, TO THE EXTENT NECESSARY TO RECOVER THE SHORTFALL. IF ANY SHORTFALL REMAINS AFTER THE INCREASE TO THE CCL RATE CAP, THE CARRIER OF LAST RESORT SHALL RECEIVE CARRIER OF LAST RESORT SUPPORT EQUAL TO THE REMAINING SHORTFALL.

(H) NOTWITHSTANDING (A), (B), (F), AND (G) OF THIS SECTION OR THE PROVISIONS OF 3 AAC 53.265, THE COMMISSION UPON A PETITION OR ON ITS OWN MOTION MAY WITHDRAW CARRIER OF LAST RESORT STATUS OR MAY TERMINATE CARRIER OF LAST RESORT SUPPORT PROVIDED TO A LOCAL EXCHANGE CARRIER SERVING A PORTION OR ALL OF THE STUDY AREA IF THE COMMISSION DETERMINES AFTER NOTICE AND HEARING THAT A LOCAL EXCHANGE CARRIER OF LAST RESORT IS NO LONGER NEEDED IN THAT AREA DUE TO COMPETITIVE MARKET CONDITIONS OR OTHER RELEVANT FACTORS.

(I) AFTER INVESTIGATION AND OPPORTUNITY FOR HEARING, THE COMMISSION MAY REDUCE A CARRIER'S CARRIER OF LAST RESORT SUPPORT

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(1) IF ALL OR A PART OF THE SUPPORT IS BEING USED FOR AN
UNREASONABLE PURPOSE;

(2) IF FEDERAL SUPPORT BECOMES AVAILABLE THAT FILLS THE SAME OR A
SIMILAR PURPOSE AS CARRIER OF LAST RESORT SUPPORT; OR

(3) FOR GOOD CAUSE.

(J) IN THIS SECTION,

(1) "CCL" MEANS CARRIER COMMON LINE;

(2) "NAF" MEANS NETWORK ACCESS FEE.]

3 AAC 53.350 is repealed:

3 AAC 53.350. Disbursements of the AUSF. Repealed. (Eff. 1/10/99, Register 149; am 1/11/2001, Register 157; am 7/31/2011, Register 199; am __/__/__, Register ____ [Order R-17-001(3)]; repealed __/__/__, Register____)

[(A) THE ADMINISTRATOR SHALL DISBURSE ON A MONTHLY BASIS MONEY
APPROVED BY THE COMMISSION FROM THE AUSF FOR UNIVERSAL SERVICE
SUPPORT ELIGIBLE IN THE CURRENT MONTH FOR

(1) DIAL EQUIPMENT MINUTE (DEM) WEIGHTING;

(2) LIFELINE PROGRAM;

(3) PUBLIC INTEREST PAY TELEPHONES DESIGNATED UNDER 3 AAC 53.740

– 3 AAC 53.799;

(4) LOCAL EXCHANGE CARRIER OF LAST RESORT SUPPORT; AND

(5) CARRIER COMMON LINE SUPPORT PROVIDED UNDER (C) OF THIS SECTION AND UNDER SECTIONS 104 AND 105 OF THE *ALASKA INTRASTATE INTEREXCHANGE ACCESS CHARGE MANUAL*, ADOPTED BY REFERENCE IN 3 AAC 48.440.

(B) THE COMMISSION WILL DETERMINE THE UNIVERSAL SERVICE SUPPORT REQUIRED FOR THE DEM WEIGHTING FOR A POOLING COMPANY AS PART OF THE ANNUAL ACCESS CHARGE PROCESS FOR A POOLING COMPANY. THE UNIVERSAL SERVICE SUPPORT REQUIRED FOR DEM WEIGHTING FOR AN ELIGIBLE NONPOOLING COMPANY IS DETERMINED AT THE TIME THAT THE ELIGIBLE NONPOOLING COMPANY EXITS THE POOL AND IS BASED UPON THAT COMPANY'S MOST RECENT ACCESS REVENUE REQUIREMENT. THE ADMINISTRATOR SHALL MAKE A DISBURSEMENT OF UNIVERSAL SERVICE SUPPORT FOR DEM WEIGHTING MONTHLY TO EACH ELIGIBLE NONPOOLING COMPANY. THE ADMINISTRATOR SHALL DISBURSE TO A POOLING COMPANY ONE-TWELFTH OF ITS UNIVERSAL SERVICE SUPPORT FOR DEM WEIGHTING EACH MONTH. THE ADMINISTRATOR SHALL CALCULATE AND DISBURSE THE AMOUNT OF UNIVERSAL SERVICE SUPPORT FOR DEM WEIGHTING FOR A NONPOOLING COMPANY BY DISTRIBUTING TO EACH ELIGIBLE TELECOMMUNICATIONS CARRIER WITHIN A STUDY AREA THE PROPORTIONATE SHARE OF THE UNIVERSAL SERVICE SUPPORT FOR DEM WEIGHTING FOR THAT STUDY AREA BASED UPON THE TELECOMMUNICATIONS

CARRIER'S PERCENTAGE OF REPORTED NUMBER OF ACCESS LINES FOR THAT STUDY AREA FOR THAT MONTH.

(C) THE ADMINISTRATOR SHALL PROVIDE SUPPORT TO REDUCE THE INTRASTATE CARRIER COMMON LINE ACCESS CHARGE RATE ELEMENT. THE ADMINISTRATOR SHALL PROVIDE SUPPORT IN AN AMOUNT SUFFICIENT TO REDUCE THE CARRIER COMMON LINE CHARGE TO ZERO. THE SUPPORT SHALL BE PROVIDED DIRECTLY ON A MONTHLY BASIS TO THE LOCAL EXCHANGE CARRIER.

(D) THE ADMINISTRATOR SHALL PROVIDE SUPPORT FOR THE LIFELINE PROGRAM IN AN AMOUNT SUFFICIENT TO MAXIMIZE THE FEDERAL CONTRIBUTION FOR THE LIFELINE PROGRAM. THE ADMINISTRATOR SHALL DISBURSE EACH MONTH TO EACH ELIGIBLE TELECOMMUNICATIONS CARRIER AN AMOUNT EQUAL TO THE NECESSARY STATE CONTRIBUTION PER LINE TIMES THE MONTHLY NUMBER OF QUALIFYING LOCAL CUSTOMERS IN THE LIFELINE PROGRAM.

(E) [IN THE CASE OF A SHORTAGE IN THE AUSF IN A PARTICULAR MONTH, T] THE ADMINISTRATOR SHALL DISBURSE THE AUSF IN THE FOLLOWING ORDER OF PRIORITY:

(1) ADMINISTRATIVE COSTS;

(2) REPEALED;

(3) UNIVERSAL SERVICE SUPPORT ELIGIBLE IN A CURRENT MONTH FOR THE LIFELINE PROGRAM;

(4) REPEALED;

(5) REPEALED;

(6) REPEALED;

(7) REPEALED;

(8) OTHER UNIVERSAL SUPPORT PROGRAMS LISTED IN SUBSECTION (A), OLDEST CLAIMS FIRST, PRO-RATED AMONG CLAIMANTS WITHIN A MONTHLY ACCOUNTING PERIOD BASED ON THE TOTAL UNPAID CLAIMS FOR THAT PERIOD;

(9) WITH THE EXCEPTION OF VALID CLAIMS FOR UNIVERSAL SUPPORT ACCRUED BEFORE [EFFECTIVE DATE OF THIS PROVISION], THE ADMINISTRATOR MAY NOT PAY ANY CLAIM THAT REMAINS UNPAID MORE THAN SIX MONTHS AFTER ACCRUAL.

(F) MONEY FOR PUBLIC INTEREST PAY TELEPHONES DESIGNATED UNDER 3 AAC 53.740 - 3 AAC 53.799 MUST BE DISBURSED AS PROVIDED IN 3 AAC 53.760.]

3 AAC 53.390 is repealed:

3 AAC 53.390. Lifeline and link up eligibility. Repealed. (Eff. 1/28/2005, Register 173; repealed __/__/__, Register____)

[(A) AN ELIGIBLE TELECOMMUNICATIONS CARRIER SHALL USE (B) OF THIS SECTION TO IDENTIFY CUSTOMERS ELIGIBLE TO PARTICIPATE IN THE LIFELINE AND LINK UP PROGRAMS.

(B) A CUSTOMER IS ELIGIBLE TO PARTICIPATE IN THE LIFELINE AND LINK UP PROGRAMS IF THE CUSTOMER

(1) LIVES IN A HOUSEHOLD WITH INCOME AT OR BELOW 135 PERCENT OF THE APPLICABLE FEDERAL POVERTY GUIDELINES FOR THIS STATE, AS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, EXCEPT THAT FOR PURPOSES OF THIS SECTION, WHERE THE TERM "FAMILY UNIT" APPEARS IN THE FEDERAL POVERTY GUIDELINES, "FAMILY UNIT" HAS THE MEANING GIVEN "HOUSEHOLD" IN (K) OF THIS SECTION;

(2) RECEIVES BENEFITS UNDER

(A) 42 U.S.C. 1396 - 1396V OR AS 47.07 (MEDICAID);

(B) 7 U.S.C. 2011 - 2036 OR AS 47.25.975 - 47.25.990 (FOOD STAMP PROGRAM);

(C) 42 U.S.C. 1382 - 1382J (SUPPLEMENTAL SECURITY INCOME PROGRAM);

(D) 42 U.S.C. 1437F (FEDERAL PUBLIC HOUSING ASSISTANCE PROGRAM);

(E) 42 U.S.C. 8621 - 8629 OR 7 AAC 44 (LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP));

(F) 25 U.S.C. 1 - 17 (BUREAU OF INDIAN AFFAIRS GENERAL ASSISTANCE PROGRAM);

(G) 42 U.S.C. 601 - 619 (TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF));

(H) 42 U.S.C. 9831 - 9852 (HEAD START PROGRAM), AND MEETS THE LOW-INCOME CRITERIA PRESCRIBED UNDER 42 U.S.C. 9840;

(I) 42 U.S.C. 1758(B) (NATIONAL SCHOOL LUNCH PROGRAM) FOR FREE LUNCHES;

(J) AS 47.27 (ALASKA TEMPORARY ASSISTANCE PROGRAM (ATAP)); OR

(K) AS 47.25 (ALASKA ADULT PUBLIC ASSISTANCE PROGRAM); OR

(3) RECEIVES BENEFITS UNDER ANOTHER SOCIAL SERVICES ASSISTANCE PROGRAM THAT

(A) USES AN INCOME-BASED MEANS TEST TO DETERMINE ELIGIBILITY FOR BENEFITS;

(B) IS ADMINISTERED BY THE STATE OR FEDERAL GOVERNMENT;

(C) AN ELIGIBLE TELECOMMUNICATIONS CARRIER HAS IDENTIFIED AS A PROGRAM IN WHICH A CUSTOMER'S PARTICIPATION MAKES THAT CUSTOMER ELIGIBLE FOR LIFELINE AND LINKUP SERVICES OFFERED BY THAT CARRIER; A PROGRAM IS IDENTIFIED UNDER THIS SUBPARAGRAPH IF THE ELIGIBLE TELECOMMUNICATIONS CARRIER HAS SUBMITTED THE IDENTIFICATION THROUGH AN AMENDMENT TO THE CARRIER'S CURRENT TARIFF OR BY LETTER IF THE CARRIER DOES NOT HAVE A CURRENT TARIFF; AND

(D) THE COMMISSION HAS APPROVED THROUGH REVIEW OF A FILING UNDER (C) OF THIS PARAGRAPH.

(C) AN ELIGIBLE TELECOMMUNICATIONS CARRIER SHALL REQUIRE A CUSTOMER ELIGIBLE UNDER (B)(1) OF THIS SECTION TO SIGN A DOCUMENT

(1) CERTIFYING UNDER PENALTY OF PERJURY THE NUMBER OF INDIVIDUALS IN THE CUSTOMER'S HOUSEHOLD AND THE CUSTOMER'S HOUSEHOLD INCOME; AND

(2) AGREEING TO NOTIFY THE ELIGIBLE TELECOMMUNICATIONS CARRIER WHEN THE CUSTOMER'S HOUSEHOLD INCOME EXCEEDS THE 135-PERCENT THRESHOLD UNDER (B)(1) OF THIS SECTION.

(D) AN ELIGIBLE TELECOMMUNICATIONS CARRIER SHALL REQUIRE A CUSTOMER ELIGIBLE UNDER (B)(2) OR (3) OF THIS SECTION TO SIGN A DOCUMENT

(1) CERTIFYING UNDER PENALTY OF PERJURY THAT THE CUSTOMER IS RECEIVING BENEFITS FROM AT LEAST ONE OF THE PROGRAMS LISTED IN (B)(2) OR (3) OF THIS SECTION;

(2) IDENTIFYING ONE OR MORE OF THE PROGRAMS UNDER (B)(2) OR (3) OF THIS SECTION FROM WHICH THE CUSTOMER IS RECEIVING BENEFITS; AND

(3) AGREEING TO NOTIFY THE ELIGIBLE TELECOMMUNICATIONS CARRIER WHEN THE CUSTOMER NO LONGER RECEIVES BENEFITS FROM ANY PROGRAM THAT THE CUSTOMER IDENTIFIED IN (2) OF THIS SUBSECTION.

(E) WHEN CERTIFYING A CUSTOMER'S INITIAL ELIGIBILITY UNDER (B)(1) OF THIS SECTION, AN ELIGIBLE TELECOMMUNICATIONS CARRIER SHALL REQUIRE THE CUSTOMER TO PROVIDE DOCUMENTATION OF INCOME IN THE FORM OF

- (1) A PREVIOUS YEAR'S STATE OR FEDERAL TAX RETURN;
 - (2) A CURRENT INCOME STATEMENT FROM AN EMPLOYER OR PAYCHECK STUB;
 - (3) A STATEMENT OF BENEFITS FROM THE UNITED STATES SOCIAL SECURITY ADMINISTRATION;
 - (4) A STATEMENT OF BENEFITS FROM THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS;
 - (5) A RETIREMENT OR PENSION STATEMENT OF BENEFITS;
 - (6) AN UNEMPLOYMENT OR WORKERS' COMPENSATION STATEMENT OF BENEFITS;
 - (7) A FEDERAL OR TRIBAL NOTICE LETTER OF PARTICIPATION IN GENERAL ASSISTANCE;
 - (8) A DIVORCE DECREE OR CHILD SUPPORT DOCUMENT; OR
 - (9) ANY OTHER OFFICIAL DOCUMENT ISSUED BY A PROVIDER OF INCOME TO DOCUMENT THAT INCOME.
- (F) IF THE DOCUMENTATION PROVIDED UNDER (E) OF THIS SECTION DOES NOT COVER A FULL YEAR, THE DOCUMENTATION MUST COVER AT LEAST THREE CONSECUTIVE MONTHS IN THE CURRENT CALENDAR YEAR.
- (G) AN ELIGIBLE TELECOMMUNICATIONS CARRIER SHALL SELECT ANNUALLY A RANDOM SAMPLE OF LIFELINE CUSTOMERS AND VERIFY THAT THOSE CUSTOMERS REMAIN ELIGIBLE FOR LIFELINE SERVICE. HOWEVER, IF A SPECIFIC CUSTOMER IS SELECTED IN A SAMPLE MORE THAN ONCE WITHIN A

THREE-YEAR PERIOD, THE ELIGIBLE TELECOMMUNICATIONS PROVIDER IS NOT REQUIRED TO RE-VERIFY THAT CUSTOMER'S CONTINUED ELIGIBILITY WITHIN THAT PERIOD. TO VERIFY A CUSTOMER'S CONTINUED ELIGIBILITY FOR LIFELINE SERVICE, THE ELIGIBLE TELECOMMUNICATIONS CARRIER MAY

(1) ACCEPT FROM THE CUSTOMER A SELF-CERTIFICATION UNDER (C) OR (D) OF THIS SECTION, AS APPLICABLE; OR

(2) REQUIRE THE CUSTOMER TO PROVIDE WRITTEN DOCUMENTATION OF CONTINUED ELIGIBILITY; THE ELIGIBLE TELECOMMUNICATIONS CARRIER MAY REQUIRE DOCUMENTATION UNDER THIS PARAGRAPH REGARDLESS OF WHETHER THE CUSTOMER

(A) PREVIOUSLY PROVIDED DOCUMENTATION UNDER (E) OF THIS SECTION; OR

(B) INITIALLY APPLIED UNDER (B)(2) OR (3) OF THIS SECTION.

(H) AN ELIGIBLE TELECOMMUNICATIONS CARRIER SHALL RETAIN A CUSTOMER'S SELF-CERTIFICATION UNDER (C), (D), OR (G)(1) OF THIS SECTION FOR AS LONG AS THE CUSTOMER RECEIVES LIFELINE SERVICE FROM THE CARRIER. HOWEVER, AN ELIGIBLE TELECOMMUNICATIONS CARRIER IS NOT REQUIRED TO RETAIN ANY OTHER DOCUMENTATION OF ELIGIBILITY THAT THE CUSTOMER PROVIDES.

(I) AN ELIGIBLE TELECOMMUNICATIONS CARRIER MAY NOT DISCONNECT LIFELINE SERVICE OR REFUSE TO PROVIDE LIFELINE AND LINK UP SERVICE TO AN ELIGIBLE CUSTOMER FOR NON-PAYMENT OF ANY OF THE FOLLOWING:

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(1) INTEREXCHANGE CARRIER CHARGES;

(2) CABLE TELEVISION CHARGES;

(3) SATELLITE TELEVISION CHARGES;

(4) CHARGES FOR CELLULAR TELEPHONE SERVICE, IF THOSE CHARGES ARE FOR SERVICE OTHER THAN LIFELINE SERVICE;

(5) CHARGES FOR SERVICES NOT SUBJECT TO COMMISSION REGULATION;

(6) CHARGES FOR A BUNDLE OF SERVICES IF LOCAL SERVICE IS PART OF THE BUNDLE.

(J) IF A LIFELINE CUSTOMER MAKES A PARTIAL PAYMENT ON A BILL THAT INCLUDES BOTH LOCAL SERVICE AND NON-LOCAL SERVICES, THE ELIGIBLE TELECOMMUNICATIONS CARRIER SHALL APPLY THE PARTIAL PAYMENT TO LOCAL SERVICE FIRST, UNLESS THE CUSTOMER DIRECTS OTHERWISE.

(K) IN THIS SECTION,

(1) "HOUSEHOLD" MEANS ALL PERSONS WHO OCCUPY A HOUSING UNIT, REGARDLESS OF WHETHER THEY ARE RELATED TO EACH OTHER;

(2) "INCOME" HAS THE MEANING GIVEN IN 47 C.F.R. 54.400(F).]

3 AAC 53.399 is repealed:

3 AAC 53.399. Definitions. Repealed. (Eff. 1/10/99, Register 149; am 1/28/2005, Register 173; am 7/31/2011, Register 199; am 3/1/2017, Register 221; repealed __/__/__, Register____)

[UNLESS THE CONTEXT INDICATES OTHERWISE, IN 3 AAC 53.300 – 3 AAC 53.399

(1) "ADMINISTRATOR" MEANS THE APPLICANT APPROVED BY THE COMMISSION UNDER 3 AAC 53.310 TO SERVE AS ADMINISTRATOR OF AUSF;

(2) "AUSF" MEANS THE ALASKA UNIVERSAL SERVICE FUND;

(3) "ELIGIBLE TELECOMMUNICATIONS CARRIER" MEANS A TELECOMMUNICATIONS UTILITY ELIGIBLE UNDER 47 U.S.C. 214(E) OF THE FEDERAL COMMUNICATIONS ACT, AS AMENDED BY THE TELECOMMUNICATIONS ACT OF 1996 (P.L. 104-104);

(4) "LIFELINE" HAS THE SAME MEANING AS SET OUT IN 47 C.F.R. 54.401;

(5) "NONPOOLING COMPANY" MEANS A COMPANY THAT IS NOT A PARTICIPANT IN THE ACCESS CHARGE POOL ESTABLISHED BY THE *ALASKA INTRASTATE INTEREXCHANGE ACCESS CHARGE MANUAL* ADOPTED BY REFERENCE IN 3 AAC 48.440;

(6) "POOLING COMPANY" MEANS A COMPANY THAT IS A PARTICIPANT IN THE ACCESS CHARGE POOL ESTABLISHED BY THE *ALASKA INTRASTATE INTEREXCHANGE ACCESS CHARGE MANUAL* ADOPTED BY REFERENCE IN 3 AAC 48.440;

(7) "UNIVERSAL SERVICE SURCHARGE" OR "SURCHARGE" MEANS A RATE PAID BY A PUBLIC UTILITY FOR THE USE OF THE PUBLIC TELECOMMUNICATIONS NETWORK;

(8) "LINK UP" HAS THE SAME MEANING AS SET OUT IN 47 C.F.R. 54.411;

(9) "EXCHANGE" OR "LOCAL EXCHANGE" HAS THE SAME MEANING GIVEN IN 3 AAC 48.820;

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(10) “LOCAL EXCHANGE CARRIER” HAS THE MEANING GIVEN IN 3 AAC 53.299;

(11) “STUDY AREA” HAS THE MEANING GIVEN IN 3 AAC 53.499;

(12) “INTERCONNECTED VOICE OVER INTERNET PROTOCOL” HAS THE SAME MEANING AS SET OUT IN 47 C.F.R. 9.3.]

3 AAC 53.740 is repealed:

3 AAC 53.740. Applicability, purpose, and waiver. Repealed. (Eff. 1/11/2001, Register 157; repealed __/__/__, Register____)

[(A) THE PROVISIONS OF 3 AAC 53.740 - 3 AAC 53.799 APPLY TO PUBLIC INTEREST PAY TELEPHONE SERVICE.

(B) THE PURPOSE OF 3 AAC 53.740 - 3 AAC 53.799 IS TO ESTABLISH AND PROVIDE FOR THE DESIGNATION, APPORTIONMENT, AND FUNDING OF PUBLIC INTEREST PAY TELEPHONES.

(C) UNLESS OTHERWISE REQUIRED UNDER AS 42.05, A REQUIREMENT IN 3 AAC 53.740 – 3 AAC 53.799 MAY BE MODIFIED OR WAIVED, IN WHOLE OR IN PART, BY ORDER OF THE COMMISSION UPON APPLICATION AND A SHOWING OF GOOD CAUSE OR ON THE COMMISSION’S OWN MOTION. AN APPLICANT SHALL FILE AND THE COMMISSION WILL CONSIDER AN APPLICATION IN ACCORDANCE WITH 3 AAC 48.805.]

3 AAC 53.745 is repealed:

3 AAC 53.745. Criteria for designation of a public interest pay telephone.

Repealed. (Eff. 1/11/2001, Register 157; repealed __/__/__, Register____)

[(A) A PUBLIC INTEREST PAY TELEPHONE IS ONE THAT

(1) FULFILLS A PUBLIC POLICY OBJECTIVE IN HEALTH, SAFETY, OR PUBLIC WELFARE;

(2) IS NOT PROVIDED FOR A LOCATION PROVIDER WITH AN EXISTING CONTRACT FOR THE PROVISION OF A PAY TELEPHONE; AND

(3) WOULD NOT OTHERWISE EXIST AS A RESULT OF THE OPERATION OF THE COMPETITIVE MARKETPLACE.

(B) THE COMMISSION MAY DESIGNATE ONE OR MORE PUBLIC INTEREST PAY TELEPHONES IN EACH EXCHANGE IN WHICH A PAY TELEPHONE WOULD NOT OTHERWISE BE AVAILABLE TO THE PUBLIC.]

3 AAC 53.750 is repealed:

3 AAC 53.750. Designation of public interest pay telephones. Repealed. (Eff. 1/11/2001, Register 157; am 11/6/2016, Register 220; repealed __/__/__, Register____)

[(A) THE COMMISSION WILL, BY ORDER, DESIGNATE AN INITIAL LIST OF PUBLIC INTEREST PAY TELEPHONES UNDER THE PROCEDURES SET OUT IN (B) THROUGH (E) OF THIS SECTION.

(B) THE COMMISSION WILL ESTABLISH A DEADLINE FOR THE SUBMISSION OF REQUESTS FOR THE ESTABLISHMENT OF PUBLIC INTEREST PAY TELEPHONES THAT MEET THE CRITERIA FOR THAT DESIGNATION AS SET OUT IN 3 AAC

53.745. A REQUEST MUST BE SUBMITTED IN ACCORDANCE WITH 3 AAC 48.095 AND INDICATE THE EXCHANGE AND THE PHYSICAL ADDRESS OR LOCATION FOR EACH PUBLIC INTEREST PAY TELEPHONE. A REQUEST TO DESIGNATE AN EXISTING PAY TELEPHONE AS A PUBLIC INTEREST PAY TELEPHONE MUST INCLUDE SUFFICIENT COST AND REVENUE INFORMATION FOR THE COMMISSION TO DETERMINE THE PROFITABILITY OF THE PAY TELEPHONE.

(C) AFTER THE DEADLINE FOR THE SUBMISSION OF REQUESTS UNDER (B) OF THIS SECTION, THE COMMISSION WILL REVIEW THE REQUESTS FOR DESIGNATION OF PUBLIC INTEREST PAY TELEPHONES FOR COMPLIANCE WITH THE CRITERIA SET OUT AT 3 AAC 53.745 AND WILL IDENTIFY ITS RECOMMENDED ADDITIONS OR DELETIONS.

(D) FOLLOWING THE COMPLETION OF THE PROCEDURES SET OUT IN (C) OF THIS SECTION, THE COMMISSION WILL ISSUE A PRELIMINARY LIST OF PROPOSED PUBLIC INTEREST PAY TELEPHONES. THE COMMISSION WILL PROVIDE PUBLIC NOTICE OF ITS PRELIMINARY LIST AND SERVE THE LIST ON ALL CERTIFICATED TELECOMMUNICATIONS CARRIERS IN THE STATE, INCLUDING PRIVATE PAY TELEPHONE SERVICE PROVIDERS. THE COMMISSION WILL INVITE PUBLIC COMMENT ON THE COMPLETENESS AND ACCURACY OF THE PRELIMINARY LIST OF PUBLIC INTEREST PAY TELEPHONES. A CERTIFICATED PRIVATE PAY TELEPHONE SERVICE PROVIDER MAY INDICATE WHICH, IF ANY, LOCATIONS ON THE LIST IT IS WILLING TO SERVE IN ITS

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SERVICE AREA WITHOUT SUPPORT. THE COMMISSION WILL ESTABLISH A DEADLINE FOR THE SUBMISSION OF COMMENTS.

(E) AFTER THE DEADLINE ESTABLISHED UNDER (D) OF THIS SECTION, THE COMMISSION WILL ISSUE A FINAL LIST OF PUBLIC INTEREST PAY TELEPHONES BY

(1) EXCHANGE; AND

(2) PHYSICAL ADDRESS OR LOCATION OF EACH PUBLIC INTEREST PAY TELEPHONE.

(F) THE COMMISSION MAY CONSIDER AMENDMENTS AND MODIFICATIONS TO THE FINAL LIST OF PUBLIC INTEREST PAY TELEPHONES DESIGNATED UNDER (E) OF THIS SECTION UPON THE COMMISSION'S OWN MOTION OR UPON PETITION BY AN AFFECTED PERSON.]

3 AAC 53.755 is repealed:

3 AAC 53.755. Assignment of public interest pay telephones. Repealed. (Eff. 1/11/2001, Register 157; repealed __/__/__, Register__)

[AFTER ISSUANCE OF THE FINAL LIST OF PUBLIC INTEREST PAY TELEPHONES UNDER 3 AAC 53.750(E), THE COMMISSION WILL ASSIGN THE PUBLIC INTEREST PAY TELEPHONE OR TELEPHONES FOR A GIVEN EXCHANGE TO THE INCUMBENT LOCAL EXCHANGE CARRIER SERVING THAT EXCHANGE.]

3 AAC 53.760 is repealed:

3 AAC 53.760. Funding for public interest pay telephones. Repealed. (Eff.

1/11/2001, Register 157; repealed __/__/__, Register____)

[(A) FINANCIAL SUPPORT REQUIRED FOR A PUBLIC INTEREST PAY TELEPHONE IS FUNDED FROM DISBURSEMENTS OF THE ALASKA UNIVERSAL SERVICE FUND (AUSF).

(B) AN INCUMBENT LOCAL EXCHANGE CARRIER ASSIGNED PUBLIC INTEREST PAY TELEPHONE RESPONSIBILITY WILL BE GIVEN MONTHLY COMPENSATION FROM THE AUSF FOR EACH PUBLIC INTEREST PAY TELEPHONE BASED ON THE ACTUAL NET COST OF PROVIDING THE SERVICE.

(C) ACTUAL NET COST IS EQUAL TO ALLOWABLE COSTS LESS ALL REVENUES RECEIVED FROM THE PUBLIC INTEREST PAY TELEPHONE, INCLUDING REVENUES IMPUTED BY THE COMMISSION. ALLOWABLE COSTS INCLUDE A REASONABLE ALLOCATION OF OPERATING EXPENSES, DEPRECIATION, TAXES, AND A REASONABLE RETURN ON INVESTED CAPITAL, SUBJECT TO ANNUAL COMMISSION REVIEW. LOCATION RENTAL IS NOT AN ALLOWABLE COST UNLESS SPECIFICALLY AUTHORIZED BY THE COMMISSION.

(D) THE COMMISSION WILL ESTABLISH BY ORDER THE PROCESS FOR ANNUAL REVIEW OF THE FUNDING REQUIREMENTS FOR PUBLIC INTEREST PAY TELEPHONES.

(E) AN INCUMBENT LOCAL EXCHANGE CARRIER PROVIDING PUBLIC INTEREST PAY TELEPHONE SERVICE SHALL MAKE A REASONABLE ATTEMPT TO OBTAIN REVENUES FROM AVAILABLE SOURCES INCLUDING FEDERAL DIAL-AROUND

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COMPENSATION, LOCAL COIN CALLS, AND AGGREGATOR COMMISSIONS
FROM LONG DISTANCE CARRIERS.]

3 AAC 53.765 is repealed:

3 AAC 53.765. Service requirements. Repealed. (Eff. 1/11/2001, Register 157;
repealed __/__/__, Register____)

[(A) AN INCUMBENT LOCAL EXCHANGE CARRIER THAT THE COMMISSION HAS
ASSIGNED PUBLIC INTEREST PAY TELEPHONE RESPONSIBILITY SHALL
MAINTAIN AND SERVE THE PUBLIC INTEREST PAY TELEPHONES IN
ACCORDANCE WITH 3 AAC 53.820 - 3 AAC 53.899.

(B) AN INCUMBENT LOCAL EXCHANGE CARRIER THAT THE COMMISSION HAS
ASSIGNED PUBLIC INTEREST PAY TELEPHONE RESPONSIBILITY MAY NOT
ABANDON SERVICE WITHOUT PRIOR APPROVAL OF THE COMMISSION.]

3 AAC 53.770 is repealed:

3 AAC 53.770. Maximum charge for a public interest pay telephone.

Repealed. (Eff. 1/11/2001, Register 157; repealed __/__/__, Register____)

[THE CHARGE FOR A LOCAL CALL FROM A PUBLIC INTEREST PAY TELEPHONE
MAY NOT EXCEED 25 CENTS PER CALL. THE CHARGE FOR A LONG DISTANCE
CALL MAY NOT EXCEED THE CHARGES OF THE DOMINANT LONG DISTANCE
CARRIER.]

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3 AAC 53.775 is repealed:

3 AAC 53.775. Miscellaneous provisions. Repealed. (Eff. 1/11/2001, Register 157; repealed __/__/__, Register____)

[(A) A PUBLIC INTEREST PAY TELEPHONE PROVIDER SHALL INSTALL A PUBLIC INTEREST PAY TELEPHONE CAPABLE OF ACCEPTING COIN CALLS UNLESS THE COMMISSION DETERMINES THAT THE PUBLIC INTEREST REQUIRES THE INSTALLATION OF A COINLESS PAY TELEPHONE.

(B) A COINLESS PUBLIC INTEREST PAY TELEPHONE MUST PROVIDE FREE LOCAL CALLING.

(C) TO THE EXTENT POSSIBLE, A PUBLIC INTEREST PAY TELEPHONE MUST BE LOCATED ON PUBLIC OR UTILITY PROPERTY.]

3 AAC 53.799 is repealed:

3 AAC 53.799. Definitions. Repealed. (Eff. 1/11/2001, Register 157; repealed __/__/__, Register____)

[(A) UNLESS THE CONTEXT INDICATES OTHERWISE, IN 3 AAC 53.740 – 3 AAC 53.799,

(1) “LOCATION PROVIDER” MEANS THE OWNER OF PREMISES ON WHICH A PUBLIC INTEREST PAY TELEPHONE IS LOCATED OR, FOR LEASED PREMISES, THE LESSEE, UNLESS OTHERWISE PROVIDED IN THE LEASE;

(2) “COINLESS PAY TELEPHONE” MEANS A PAY TELEPHONE THAT ACCEPTS 1-800 SUBSCRIBER CALLS OR ACCESS CARD CALLS.

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(B) TERMS USED IN 3 AAC 53.740 - 3 AAC 53.799 THAT ARE NOT DEFINED IN THIS SECTION HAVE THE MEANINGS GIVEN IN 3 AAC 48.820, 3 AAC 52.340, 3 AAC 52.399, AND 3 AAC 53.899.]